



Natural building blocks for quality of life

Position on Naturally Occurring Asbestos

Who Are We?

The National Stone, Sand & Gravel Association (NSSGA) represents the construction aggregates industry. Our member companies produce more than 92 percent of the crushed stone and 75 percent of the sand and gravel used annually in the United States. More than three billion tons of aggregates were produced in 2005 at a value of \$17.4 billion, contributing \$38 billion to the GDP of the United States. Every \$1 million in aggregate sales creates 19.5 jobs, and every dollar of industry output returns \$1.58 to the economy. Seventy percent of our nation's counties include an aggregates operation, and virtually every congressional district is home to a crushed stone, sand or gravel operation.

Why We're Here

- In 1988, the Consumer Product Safety Commission determined that play sand containing nonasbestiform cleavage fragments is safe for use. In 1992, after six years of comprehensive review, OSHA issued a final regulation, based on risk, which removed common rock fragments from its asbestos standard.
- Since 2003, NSSGA has briefed U.S. EPA in five different line offices on the importance of accurate mineral definitions. Briefing Headquarters decision-makers is the next step in the process.
- In the interim, EPA Region 9's work on naturally occurring asbestos in El Dorado County, California concerns us because the PCMe metric does not distinguish between common mineral rock fragments and asbestos. This omission creates the potential to once again overextend the regulatory process to common mineral rock fragments.
- The approach used in El Dorado County is incomplete compared to the method used in Sparta, New Jersey. The PCMe method will result in defining harmless rocks as asbestos, creating far-reaching consequences for other EPA regions and the regulated communities (i.e. construction, land developers, housing, school districts, and mining).
- The PCMe metric's limitations of precision equate to an expansion of the regulatory definition of asbestos, which could impact over 30 percent of the United States' land area, making this a national, not a regional, issue. We have recently provided EPA Region 9 and the programs here at EPA all of the information we have access to regarding this issue.

NSSGA's Position

- NSSGA supports strict regulation of harmful exposure to asbestos in commercial products as well as in the natural environment. Regulation and legislation addressing asbestos must have definitions, analytical methods and risk assessment procedures that are based on sound science.
- Definitions and methods must be sufficiently accurate and precise to differentiate regulated asbestos fibers from common rock fragments. The new ASTM analytical protocol recently adopted includes recognition of the need for differentiation between asbestos fibers and rock fragments in the natural environment and incorporates a procedure to assist in that effort. Mineral fragments such as those from common rock have never been found to cause health effects like those associated with asbestos as evidenced by the fact that asbestos-related diseases have never been associated with the aggregates industry and there are no scientific studies in the literature reporting such health effects from these rock fragments. There are many published studies that show cleavage fragments do not cause asbestos-like diseases.
- In fact, we know of no asbestos-like disease in El Dorado County.

NSSGA Requests That The U.S. Environmental Protection Agency Headquarters...

- Expeditiously initiate with an independent, neutral, qualified scientific body, preferably the Health Effects Institute (HEI), a review and study of the definition of the risk fibers in naturally occurring asbestos (both the definition and the method of measurement) and the development of a standard protocol for risk assessment and management when such materials exist in the natural environment. EPA has a 25-year history with HEI. HEI has addressed asbestos in the past. This is needed for both future regulatory and local risk assessment applications.
- Resolve the current inconsistency in assessing naturally occurring asbestos risk differently from region to region (as in the differences between Region 2 and Region 9).
- The soon-to-be-formed SAB Asbestos Expert Panel be instructed on this issue. Any regional office risk assessment involving naturally occurring asbestos should be deferred pending conclusion of the Agency's review process.